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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,532	03/10/2004	Kevin M. Jensen	146887	2531
23413	7590	08/24/2007		
CANTOR COLBURN, LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			EXAMINER DUONG, OANH L	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 08/24/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/708,532

Applicant(s)

JENSEN, KEVIN M.

Examiner

Oanh Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/10/04 &amp; 5/23/06</u> .                                   | 6) <input type="checkbox"/> Other: _____                          |

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### **DETAILED ACTION**

1. Claims 1-22 are presented for examination.

#### ***Claim Objections***

2. Claims 1-22 are objected to because of the following informalities:

See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on a separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP 608.01(i)-(p).

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 4, 5, 7-11, 15-27, 19, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keohane et al. ("Keohane"), in view of JP 11055304A ("304").

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Regarding claim 1, Keohane teaches a method for managing computer memory in a networked system (abstract), comprising:

determining when a first web page is being closed or a second web page is being opened on a first computer, the first web page having an embedded software object therein (pages 4-5 paragraph [0053]); and,

in response to the first web page being closed or the second web page being opened, releasing memory in the first computer associated with the embedded software object (pages 4-5 paragraph [0053]).

Keohane does not explicitly teach executing a software function in the embedded software object that both transmits a first data message to a second computer instructing the second computer to stop sending predetermined information to the embedded software object.

'304 teaches executing a software function in the embedded software object that both transmits a first data message to a second computer instructing the second computer to stop sending predetermined information to the embedded software object (abstract).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Keohane to transmits data message to a second computer instructing the second computer to stop sending predetermined information as taught by '304. One would be motivated to do so to prevent the overflow of the buffer/memory.

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Regarding claim 2, Keohane-'304 teaches the method of claim 1 further comprising transmitting a second data message from the second computer to a third computer instructing the third computer to stop sending to the second computer the predetermined information utilized by the embedded software object of the first computer, in response to the second computer receiving the first data message ('304, abstract).

Regarding claim 4, Keohane teaches the method of claim 2 wherein the third computer receives the second data message and releases memory allocated in the third computer for both the first communication session with the second computer and for storing the predetermined information received from a sensor (pages 4-5 paragraph [0053]).

Regarding claim 5, Keohane teaches the method of claim 1 wherein the released memory of the first computer is RAM (page 5 paragraph [0057]).

Regarding claim 7, this claim recites a method that is substantially the same as a method claim 1, discussed above, same rationale of rejection is applicable.

Regarding claim 8, this claim comprises a network system for performing a method claim 1, discussed above, same rationale of rejection is applicable.

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Regarding claim 9, Keohane-'304 teaches the networked system of claim 8 wherein the second computer in response to receiving the first data message transmits a second data message to a third computer instructing the third computer to stop sending to the second computer the predetermined information utilized by the embedded software object of the first computer ('304, abstract).

Regarding claim 10, Keohane teaches the networked system of claim 9 wherein the second computer further releases memory allocated for both a first communication session with the third computer and for storing the predetermined information received from the third computer (pages 4-5 paragraph [0053]).

Regarding claim 11, Keohane teaches the networked system of claim 9 wherein the third computer receives the second data message and releases memory allocated in the third computer for the first communication session with the second computer and for storing the predetermined information (pages 4-5 paragraph [0053]).

Regarding claim 15, Keohane teaches the networked system of claim 8 wherein the released memory of the first computer is random-access memory (page 5 paragraph [0057]).

Regarding claim 16, Keohane teaches the networked system of claim 8 wherein the embedded software object is configured to display the predetermined information on

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the first web page (Fig. 4).

Regarding claim 17, this claim comprises a networked system for performing a method claim 1, discussed above, same rationale of rejection is applicable.

Regarding claim 19, Keohane-'304 teaches the networked system of claim 17 wherein the second computer receives each first data message transmitted from the embedded software object and in response to each first data message transmits a second data message to a third computer instructing the third computer to stop sending to the second computer the predetermined information ('304, abstract).

Regarding claim 22, Keohane teaches the networked system of claim 17 wherein the released memory of the first computer is random-access memory (page 5 paragraph [0057]).

5. Claims 3, 6, 12-24, 18, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keohane et al. ("Keohane"), in view of JP 11055304A (" '304 ") and Schlereth, US 2004/0205197 A1.

Regarding claim 6, Keohane teaches the method of claim 1.

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The combination of teachings of Keohane and '304 does not explicitly teaches the first data message includes an information identifier that identifies a predetermined measurement value or a predetermined status value received by the second computer.

Schlereth teaches data message includes an information identifier that identifies a predetermined measurement value or a predetermined status value received by the second computer (page 2 paragraphs [0021]-[002 6]).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combination of teachings of Keohane and '304 to include a predetermined measurement value or a predetermined status value as taught by Schlereth because it was conventionally employed in the art to identify the current sensor measurement values.

Regarding claim 3, Keohane-'304-Schlereth teaches the method of claim 2 further comprising releasing memory in the second computer allocated for both first communication session with the third computer (pages 4-5 paragraph [0053]) and for storing the predetermined information received from the third computer (Schlereth, page 2 paragraph [0026])

Regarding claims 12-14, those claims recite limitations that are substantially the same as claim 6, same rationale of rejection is applicable.

Regarding claim 18, this claim recites limitation that are the same as claim 6, rationale of rejection is applicable.

Regarding claim 20, Keohane-'304-Schlereth teaches the networked system of claim 19 wherein the third computer determines the predetermined information from a measurement signal generated by a sensor communicating the third computer, the measurement signal being indicative of an operating parameter of a device (Schlereth, page 2 paragraph [0022]).

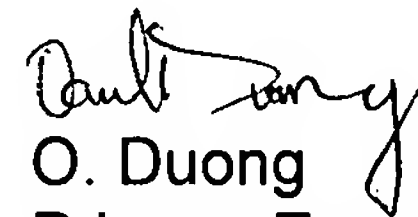
Regarding claim 21, Keohane-'304-Schlereth teaches the networked system of claim 19 wherein the third computer determines the predetermined information from a status signal generated by a sensor communicating the third computer, the status signal being indicative of an operating status of a device (Schlereth, page 2 paragraph [0022]).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
O. Duong  
Primary Examiner  
August 19, 2007